

Martha G. Bronitsky
Chapter 13 Standing Trustee
Po Box 5004
Hayward, CA 94540
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Trustee for Debtor(s)

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

In re

Heather Ann Roden

Chapter 13 Case No. 23-41423-CN 13

debtor(s)

CHAPTER 13 TRUSTEE'S OBJECTION TO CLAIM OF EXEMPTIONS

Martha G. Bronitsky, Chapter 13 Standing Trustee ("Trustee"), objects to the Debtor's claim of exemptions.

The Trustee requests, that the Court take judicial notice of its own records in the case herein in support of the facts set forth below. Fed.R.Evid.201.

BACKGROUND & ANALYSIS

1. Debtor filed this case on October 31, 2023.

2. California is an opt-out state. Debtors may not take the federal exemptions contained in 11 U.S.A § 522(D). Cal Code Civ. Proc. § 703.130. California offers debtors alternative exemption schemes-one based on California's regular judgment exemptions. (Cal. Code Civ. Proc. §§ 703.010 to 704.995, hereafter the "regular exemptions") and another substantially similar to the federal bankruptcy exemptions (Cal. Code Civ. Proc. § 703.140(b), hereafter the "special exemptions"). Cal Code Civ. Proc § 703.140. In California, debtors in bankruptcy can choose either the regular exemptions or special exemptions. Cal. Code Civ. Proc. § 703.140.

1 3. The exemption for household goods in the amount of \$5,000.00; electronics in the amount
2 of \$2,500.00; clothing in the amount of \$2,000.00; and jewelry in the amount of \$1,500.00, for a
3 total of \$11,000 under C.C.P. Section 704.040 exceeds the allowable amount of \$9,525.00 under
4 C.C.P Section 704.040.

5 **CONCLUSION**

6 WHEREFORE, the Trustee respectfully objects to the Debtor's claimed exemptions. A
7 hearing shall be set, when and if necessary, based on further investigation and analysis.

8 RESPECTFULLY SUBMITTED

9
10 Date: December 18, 2023

/s/ Martha G. Bronitsky

Signature of Martha G. Bronitsky
Chapter 13 Standing Trustee

1 In re

2 Heather Ann Roden

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13

CERTIFICATE OF SERVICE

4 I HEREBY CERTIFY that I have served a copy of the within and foregoing document
5 on the debtor (s), counsel for debtor (s), and if applicable, the creditor, creditor
6 representatives and the registered agent for the creditor by depositing it in the United
States mail with first class postage attached thereto.

7 I declare under penalty of perjury under the laws of the State of California that the
8 foregoing is true and correct.

9
10 Heather Ann Roden

Pro Per

11 16116 Paseo Largavista
12 San Lorenzo, CA 94580

(Counsel for Debtor)

13 (Debtor(s))
14
15

16 Date: December 18, 2023

/s/ Olga Gonzalez
Olga Gonzalez